

**M. ROBERT KESTENBAUM, LLC  
PATENT AND TRADEMARK MATTERS**

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**FACSIMILE TRANSMITTAL SHEET**

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TO:	FROM:
Examiner Kalimah Fernandez	M. Robert Kestenbaum
COMPANY:	DATE:
Commissioner for Patents	December 11, 2004
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(703) 872-9306	9
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
(571) 272-2470	(Z) 98027 P US
RE:	YOUR REFERENCE NUMBER:
Amendment	09/754,841

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## NOTES/COMMENTS:

Dear Examiner Fernandez:

I am faxing this Amendment (2 pages and 7 page attachment), in response to the Office Action mailed September 23, 2004.

Thank you for considering this submission.

Sincerely,

M. Robert Kestenbaum  
Reg. No. 20,430

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Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group 2881

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: US Patent Application 09/754,841  
Filed 01/03/01  
Applicant Gerhard et al  
Art Unit 2881  
Examiner Kalimah Fernandez  
Examiner's Telephone (571) 272-2470  
Examiner's Fax (703)-872-9306  
Attorney Docket (Z) 98027 P US

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Mail Stop Final Response - Art Unit 2881  
PO Box 1450  
Commissioner for Patents  
Alexandria, Va. 22313-1450

**Amendment**

Dear Examiner Fernandez:

This Amendment responds to the Office Action mailed September 23, 2004.

The Examiner states that an English translation of the foreign priority papers has not yet been made of record. As a result, the prior art and the "112" rejections are continued.

The priority document is the same as the present application except for the marked-up portions of the present application (US2001/0022402 A1), which were added to the priority document.

The prior art and "112" rejections are now overcome.

Gerhard (Z) 98027 P US US Patent Application 09/754,841  
AAFA in Response to Office Action mailed September 23, 2004

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Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group 2881

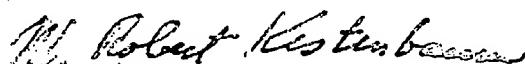
Please allow the claims in this application.

Respectfully submitted,



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I hereby certify this correspondence is being submitted to Commissioner for Patents,  
Alexandria, VA 22313-1450 by facsimile transmission on December 11, 2004, fax  
number (703)-872-9306



M. Robert Kestenbaum